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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 09-02308 WHA
	)	
Plaintiff,	)	CASE MANAGEMENT CONFERENCE ORDER
	)	STATEMENT; AND <del>PROPOSED JUDGMENT OF</del>
v.	)	FORFEITURE AND DISMISSAL
	)	
APPROXIMATELY \$8,800 IN AMERICAN	)	Date: November 7, 2013
EXPRESS TRAVELERS' CHECKS; AND	)	Time: 11:00 AM
ONE PENTAX 35MM CAMERA, SERIAL	)	
NUMBER 1318242,	)	
	)	
Defendant.	)	

Plaintiff, United States of America, and claimant Gary Hardeman respectfully submit this Joint Case Management Statement.

On July 18, 2013, claimant pled guilty to one count of committing a felony offense involving a minor while under a duty to register as a sex offender, in violation of 18 U.S.C. § 2260A. United States v. Gary Lee Hardeman, CR 10-0859 RS, Docket No. 337. As a part of that plea, claimant agreed to pay restitution to Rebecca Graham in an amount to be determined at sentencing, of which \$8,800 will be paid from the defendant currency in this case. Id. at 4:19-26. Claimant renounced any claim of

CMC STATEMENT AND ORDER  
~~PROPOSED JUDGMENT OF FORFEITURE~~  
AND DISMISSAL  
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ownership to the defendant \$8,800 or defendant camera and consented to their forfeiture. Id. at 5:24-6:11. On October 22, 2013, claimant was ordered to pay restitution in the amount of \$8,800. United States v. Gary Lee Hardeman, CR 10-0859 RS, Docket No. 343.

Given the terms of the plea agreement, the parties hereby agree to and respectfully request:

(1) forfeiture of the defendant camera;

(2) an Order directing the United States turn over the defendant \$8,800 to the United States

Clerk of Courts for application toward claimant's restitution order in United States v. Gary

Lee Hardeman, CR 10-0859 RS;

(3) dismissal of the instant action without prejudice.

Dated: 10/25/13

/s/  
DANIEL PAUL BLANK  
Attorney for Claimant

Dated: 10/25/13

/s/  
DAVID B. COUNTRYMAN  
Assistant United States Attorney

ORDER  
~~PROPOSED JUDGMENT~~ OF FORFEITURE AND DISMISSAL

UPON CONSIDERATION of the plea agreement and judgment in United States v. Gary Lee Hardeman, CR 10-0859 RS, the case management statement submitted herewith, the entire record, and for good cause shown, it is by the Court on this eighth day of November, 2013,

ORDERED, ADJUDGED AND DECREED that One Pentax 35mm Camera, Serial Number 1318242 be, and hereby is, FORFEITED to the United States for disposition by the United States in accordance with law; it is

FURTHER ORDERED that the United States shall turn over to the United States Clerk of Courts the \$8,800 in funds seized from claimant for application toward claimant's restitution order in United States v. Gary Lee Hardeman, CR 10-0859 RS. The funds shall be made payable to the "Clerk of the Court, Northern District of California;" and it is

FURTHER ORDERED that the instant case be, and hereby is, DISMISSED without prejudice.

Dated: November 8, 2013.



WILLIAM H. ALSUP  
United States District Judge